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**Public Law**  
123rd Legislature  
First Regular Session

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**Chapter 4**  
**H.P. 262 - L.D. 327**

**An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2007**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the 90-day period may not terminate until after the beginning of the next fiscal year; and

**Whereas,** certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**PART A**

**Sec. A-1. Supplemental allocations.** There are allocated from the various funds for the fiscal year ending June 30, 2007, to the departments listed, the following sums.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Buildings and Grounds Operations 0080**

Initiative: Provides funding for anticipated increased costs relating to new utility rate contracts beginning in 2007 when kilowatt charges are expected to be double the current rate. It also provides funding for the increased cost in heating fuel based on previously negotiated contract rates.

<b>HIGHWAY FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$129,741	\$0	\$0

HIGHWAY FUND TOTAL	\$129,741	\$0	\$0
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**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS**

	2006-07	2007-08	2008-09
HIGHWAY FUND	\$129,741	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$129,741</b>	<b>\$0</b>	<b>\$0</b>

**PUBLIC SAFETY, DEPARTMENT OF**

**State Police 0291**

Initiative: Provides funding for repairs and maintenance of State Police vehicles.

HIGHWAY FUND	2006-07	2007-08	2008-09
All Other	\$84,600	\$0	\$0
HIGHWAY FUND TOTAL	\$84,600	\$0	\$0

**State Police 0291**

Initiative: Provides funding for hiring law enforcement officers. Pursuant to the Maine Revised Statutes, Title 25, section 2808, the Maine State Police are required to reimburse local law enforcement agencies if officers sent by those agencies to the Maine Criminal Justice Academy are hired as State Troopers.

HIGHWAY FUND	2006-07	2007-08	2008-09
All Other	\$150,000	\$0	\$0
HIGHWAY FUND TOTAL	\$150,000	\$0	\$0

**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: Reduces funding needed to purchase 27 vehicles for the Commercial Vehicle Enforcement Unit since 20% will be paid by the Department of Public Safety and 80% will be paid by the Department of Transportation.

HIGHWAY FUND	2006-07	2007-08	2008-09
Capital Expenditures	(\$304,800)	\$0	\$0
HIGHWAY FUND TOTAL	(\$304,800)	\$0	\$0

<b>PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
<b>HIGHWAY FUND</b>	<b>(\$70,200)</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$70,200)</b>	<b>\$0</b>	<b>\$0</b>

**SECRETARY OF STATE, DEPARTMENT OF**

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for the increase for Office of Information Technology Bull mainframe costs.

<b>HIGHWAY FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$188,981	\$0	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$188,981</b>	<b>\$0</b>	<b>\$0</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for an approved reorganization that upgrades 3 Clerk IV positions to 3 Motor Vehicle Branch Manager I positions.

<b>HIGHWAY FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
Personal Services	\$3,826	\$0	\$0
All Other	(\$3,826)	\$0	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
<b>HIGHWAY FUND</b>	<b>\$188,981</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$188,981</b>	<b>\$0</b>	<b>\$0</b>

**TRANSPORTATION, DEPARTMENT OF**

**Callahan Mine Site Restoration Z007**

Initiative: Provides funding for continued mitigation expenses of the Callahan Mine site.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$1,000,000	\$0	\$0
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,000,000	\$0	\$0

**Fleet Services 0347**

Initiative: Provides funding for the increased cost of fuel.

<b>FLEET SERVICES FUND - DOT</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$2,600,766	\$0	\$0
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FLEET SERVICES FUND - DOT TOTAL	\$2,600,766	\$0	\$0

**Highway and Bridge Improvement 0406**

Initiative: Reduces funding for capital improvement projects based upon available resources.

<b>HIGHWAY FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
Capital Expenditures	(\$14,000,000)	\$0	\$0
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HIGHWAY FUND TOTAL	(\$14,000,000)	\$0	\$0

**Island Ferry Service 0326**

Initiative: Provides funding for the increased cost of fuel for the Maine State Ferry Service.

<b>ISLAND FERRY SERVICES FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$400,000	\$0	\$0
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ISLAND FERRY SERVICES FUND TOTAL	\$400,000	\$0	\$0

**Maintenance and Operations 0330**

Initiative: Provides funding for the increased cost of heating oil, diesel, salt and plow steel.

<b>HIGHWAY FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$4,000,000	\$0	\$0
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HIGHWAY FUND TOTAL	\$4,000,000	\$0	\$0

**Marine Highway Transportation Z016**

Initiative: Provides funding for the increased cost of fuel for the Maine State Ferry Service.

<b>HIGHWAY FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$400,000	\$0	\$0
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HIGHWAY FUND TOTAL	\$400,000	\$0	\$0

**Railroad Assistance Program 0350**

Initiative: Provides funding to correct negative allocation resulting from Public Law 2005, chapter 248.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$20,000	\$0	\$0
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,000	\$0	\$0

<b>TRANSPORTATION, DEPARTMENT OF</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
<b>DEPARTMENT TOTALS</b>			
HIGHWAY FUND	(\$9,600,000)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$1,020,000	\$0	\$0
FLEET SERVICES FUND - DOT	\$2,600,766	\$0	\$0
ISLAND FERRY SERVICES FUND	\$400,000	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	(\$5,579,234)	\$0	\$0

<b>SECTION TOTALS</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
HIGHWAY FUND	(\$9,351,478)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$1,020,000	\$0	\$0
FLEET SERVICES FUND - DOT	\$2,600,766	\$0	\$0
ISLAND FERRY SERVICES FUND	\$400,000	\$0	\$0
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**SECTION TOTAL - ALL FUNDS**                      **(\$5,330,712)**                      **\$0**                      **\$0**

**PART B**

**Sec. B-1. Supplemental allocations.** There are allocated from the various funds for the fiscal year ending June 30, 2007, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Buildings and Grounds Operations 0080**

Initiative: Reclassifications

<b>HIGHWAY FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
Personal Services	\$14,840	\$0	\$0
All Other	(\$14,840)	\$0	\$0
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HIGHWAY FUND TOTAL	\$0	\$0	\$0

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS**

	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
<b>HIGHWAY FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**SECRETARY OF STATE, DEPARTMENT OF**

**Administration - Motor Vehicles 0077**

Initiative: Reclassifications

<b>HIGHWAY FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
Personal Services	\$54,578	\$0	\$0
All Other	(\$54,578)	\$0	\$0
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HIGHWAY FUND TOTAL	\$0	\$0	\$0

**SECRETARY OF STATE, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
<b>HIGHWAY FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**TRANSPORTATION, DEPARTMENT OF****Administration 0339**

Initiative: Reclassifications

<b>HIGHWAY FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
Personal Services	\$64,091	\$0	\$0
All Other	(\$64,091)	\$0	\$0
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<b>HIGHWAY FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Fleet Services 0347**

Initiative: Reclassifications

<b>FLEET SERVICES FUND - DOT</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
Personal Services	\$3,968	\$0	\$0
All Other	(\$3,968)	\$0	\$0
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<b>FLEET SERVICES FUND - DOT TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Highway and Bridge Improvement 0406**

Initiative: Reclassifications

<b>HIGHWAY FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
Personal Services	\$62,892	\$0	\$0
All Other	(\$62,892)	\$0	\$0
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<b>HIGHWAY FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
Personal Services	\$43,588	\$0	\$0
All Other	(\$43,588)	\$0	\$0

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FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0
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**Maintenance and Operations 0330**

Initiative: Reclassifications

<b>HIGHWAY FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
Personal Services	\$97,803	\$0	\$0
All Other	(\$97,803)	\$0	\$0
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HIGHWAY FUND TOTAL	\$0	\$0	\$0

<b>FEDERAL EXPENDITURES FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
Personal Services	\$4,806	\$0	\$0
All Other	(\$4,806)	\$0	\$0
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FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

**Public Transportation 0443**

Initiative: Reclassifications

<b>FEDERAL EXPENDITURES FUND</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
Personal Services	\$4,462	\$0	\$0
All Other	(\$4,462)	\$0	\$0
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FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

**Suspense Receivable - Transportation 0344**

Initiative: Reclassifications

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
Personal Services	\$646	\$0	\$0
All Other	(\$646)	\$0	\$0
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0



TRANSPORTATION, DEPARTMENT OF			
DEPARTMENT TOTALS	2006-07	2007-08	2008-09
HIGHWAY FUND	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0
FLEET SERVICES FUND - DOT	\$0	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0
SECTION TOTALS	2006-07	2007-08	2008-09
HIGHWAY FUND	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0
FLEET SERVICES FUND - DOT	\$0	\$0	\$0
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SECTION TOTAL - ALL FUNDS	\$0	\$0	\$0

## PART C

**Sec. C-1. Transfer from Personal Services to All Other and Capital Expenditures; Administration - Motor Vehicles.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, Personal Services balances in fiscal year 2006-07 in the Administration - Motor Vehicle program Highway Fund carrying account within the Department of the Secretary of State may be transferred to All Other and Capital Expenditures by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

## PART D

**Sec. D-1. PL 2005, c. 664, Pt. D, §1** is amended to read:

**Sec. D-1. Transfer of Highway Fund unallocated balance; capital program needs; Department of Transportation.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, at the close of fiscal years 2005-06 and 2006-07, the State Controller shall transfer amounts exceeding ~~\$1,000,000~~ \$100,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, budgeted financial commitments, accounting adjustments considered necessary by the State Controller, other designated funds or any other transfer authorized by statute and the fiscal year 2005-06 unallocated balance dedicated to the fiscal year 2006-07 budgets to the Department of Transportation for capital needs in the Highway and Bridge Improvement and Maintenance and Operations programs. The Commissioner of Transportation is authorized to allot these funds by financial order upon the recommendation of the State Budget Officer and the approval of the

Governor. The transferred amounts are considered adjustments to allocations. Within 30 days of approval of the financial order, the Commissioner of Transportation shall provide to the members of the joint standing committee of the Legislature having jurisdiction over transportation matters a report detailing the financial status of the department's capital program.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective March 13, 2007.